

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 22-cr-223(14) (NEB/TNL)

Plaintiff,

v.

**ORDER EXTENDING MOTIONS-
FILING DEADLINE AS TO
ABDIRAHMAN MOHAMUD AHMED**

Abdirahman Mohamud Ahmed,

Defendant.

This matter comes before the Court on Defendant Abdirahman Mohamud Ahmed's Motion to Continue Motions Deadline, ECF No. 174. This matter was previously designated complex under 18 U.S.C. § 3161(h)(7)(B)(ii). *See generally* ECF No. 95.

Defendant Abdirahman Mohamud Ahmed requests that the motions-filing deadline of December 15, 2023, be extended as to him by two weeks because his attorney "was only recently appointed as substitute counsel" and will be traveling out of state "to conduct an initial meeting with [him] and to confer regarding submission of motions" on December 17, 2023. ECF No. 174 at 1; *see* ECF No. 170 at 4 (setting deadline).

In the Court's Second Amended Arraignment Notice & Case Management Order, the Court stated that "any response to . . . a request [to modify the schedule] shall be filed within three days." ECF No. 170 at 6. Defendant Abdirahman Mohamud Ahmed's motion was filed on December 1, 2023, and no responses have been filed. Accordingly, Defendant Abdirahman Mohamud Ahmed's motion is unopposed.

Bearing in mind the complexity of this case, the voluminous discovery, the absence of any objection to the requested continuance, and the existence of good cause shown, the Court finds pursuant to 18 U.S.C. § 3161(h) that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendants in a speedy trial and such continuance is necessary to provide Defendant Abdirahman Mohamud Ahmed and his counsel reasonable time necessary for effective preparation.

Based on the foregoing, **IT IS HEREBY ORDERED** that:

1. Defendant Abdirahman Mohamud Ahmed's Motion to Continue Motions Deadline, ECF No. 174, is **GRANTED**.

2. This Court previously issued an Order on Pretrial Disclosure & Preservation, ECF No. 111, which "proactively address[ed] certain non-dispositive motions that are commonly filed in the District of Minnesota, which seek discovery, notice of intent to introduce certain types of evidence, preservation of rough notes, and disclosure of evidence favorable to a defendant under *Brady v. Maryland*, 373 U.S. 83 (1963), and related authorities." ECF No. 111 at 3. "These motions often seek relief that is already required by the Federal Rules of Criminal Procedure, Federal Rules of Evidence, and federal law." ECF No. 111 at 3. "To promote the efficient management of these related cases, the Court issue[d the Order on Pretrial Disclosure & Preservation] to preemptively address such matters without the need for each defendant to file multiple motions on these subjects." ECF No. 111 at 3. **Before filing any pretrial motions, a party shall consult the prior Order on Pretrial Disclosure & Preservation.**

3. *As to Defendant Abdirahman Mohamud Ahmed*, all motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **December 29, 2023**.¹ *See* D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Tony N. Leung.²

4. **Counsel must electronically file a letter on or before December 29, 2023, if no motions will be filed and there is no need for hearing.**

5. *Except as set forth herein*, all other dates in the Second Amended Arraignment Notice & Case Management Order, ECF No. 170, remain in full force and effect.

6. The period of time from **the date of this Order through December 29, 2023**, shall be excluded from Speedy Trial Act computations in this case. *See United States v. Mallett*, 751 F.3d 907, 911 (8th Cir. 2014) (“Exclusions of time attributable to one defendant apply to all codefendants.” (quotation omitted)); *United States v. Arrellano-Garcia*, 471 F.3d 897, 900 (8th Cir. 2006) (same).

7. **Should a party request modification of this schedule, any response to such a request shall be filed within three days.**

8. All prior consistent orders relating to the Indictment remain in full force and effect.

¹ “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

² U.S. Mail or hand-deliver to 300 South Fourth Street, Suite 9W, Minneapolis, MN 55415.

9. Failure to comply with any provision of this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like.

Date: December 7, 2023

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

United States v. Ahmed
Case No. 22-cr-223(14) (NEB/TNL)